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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/598,501

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Nicholas Cook

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EXAMINER

HOQUE, NAFIZ E

ART UNIT

PAPER NUMBER

2614

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/598,501	<b>Applicant(s)</b> COOK, NICHOLAS	
	<b>Examiner</b> NAFIZ E. HOQUE	<b>Art Unit</b> 2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 01 September 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 September 2006 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>9/01/2006</u> .   | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Drawings***

1. The drawings are objected to under 37 CFR 1.83(a) because they fail to show numbered elements label with legend/description as described in the specification. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepare new drawings. MPEP § 608.02(d). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-7 and 10-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Oshima et al. (US Pub 2003/0046387).

Regarding claims 1 and 11, Oshima teaches a telecommunication network comprising:

a packetized network (fig. 1);

a call control agent associated with the packetized network, the call control agent being arranged to control at least one communication channel across the packetized network (Para 0025, 0038; Fig. 5); and

at least one media gateway associated with the call control agent, the media gateway being arranged to receive and convert signals compatible with a first communication format arriving at the media gateway into signals compatible with a second communication format (Para 0024, 0028-0029),

wherein the media gateway has associated therewith a media streaming unit that is arranged to determine whether or not the signals of the first communication format relate to media data (Para 0024, 0027, 0030).

Regarding claims 2 and 12, Oshima teaches wherein the media streaming unit, dependent on a positive determination, is arranged to convert signals that relate to media data and that are compatible with the first communication format into signals compatible with the second communication format for onward transmission on a communication channel across the packetized network (Para 0024, 0027-0028, 0030).

Regarding claims 3 and 13, Oshima teaches wherein the media streaming unit, dependent on a negative determination, is arranged to forward signals that relate to non-media data to a gateway core processor associated with the media gateway (Para 0021, 0023-0024, 0027, 0034).

Regarding claims 4 and 14, Oshima teaches a telecommunication network, as claimed in any of Claims 1 to 3, wherein the media streaming unit is arranged to determine whether or not the signals of the second communication format relate to media data and, dependent on a positive determination, is arranged to convert signals that relate to media data and that are compatible with the second communication format into signals compatible with the first communication format for onward transmission on a communication channel adapted to transport signals compatible with the first communication format (Para 0024, 0029).

Regarding claims 5 and 15, Oshima teaches a telecommunication network, as claimed in any of Claims 1 to 3, wherein the media streaming unit is arranged to determine whether or not the signals of the second communication format relate to media data and, dependent on a negative determination, is arranged to forward such

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signals that relate to non-media data to a gateway core processor associated with the media gateway (Para 0021, 0023-0024, 0034).

Regarding claim 6, Oshima teaches a telecommunication network, as claimed in any of claims 1 to 5, wherein the first communication format is pulse code modulation (Para 0027).

Regarding claim 7, Oshima teaches a telecommunication network, as claimed in any of claims 1 to 6, wherein the second communication format is a packetized scheme (Para 0036-0037).

Regarding claim 10, Oshima teaches a method of operating a media gateway, comprising determining whether or not the signals of a first communication format relate to media data and, dependent on a positive determination, converting such signals into signals compatible with a second communication format (Para 0024, 0027-0028, 0030; fig. 1).

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Oshima et al. (US 2003/0046387) in view of Tyndall et al. (US 2005/0188162).

Regarding claim 8, Oshima teaches a media streaming unit (fig. 1).

Oshima does not disclose wherein the media streaming unit is a field programmable gate array.

Bjelland teaches wherein the media streaming unit is a field programmable gate array (Para 0053).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to make the media streaming unit a FPGA, because it provides extremely high stream rates and it can be tailored to meet their own individual needs. This is simply a design choice that is well known in the art.

5. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Oshima et al. (US 2003/0046387) in view of Bjelland et al. (US 2002/0006780).

Regarding claim 7, Oshima teaches a telecommunication network (fig. 1);

Oshima does not disclose wherein determination of whether or not the signals of the first communication format relate to media data or whether or not the signals of the second communication format relate to media data is determined from a call records detail associated with the signals.

Bjelland teaches wherein determination of whether or not the signals of the first communication format relate to media data or whether or not the signals of the second communication format relate to media data is determined from a call records detail associated with the signals (Para 0051-0054).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Oshima with the teaching of Bjelland, to classify the data as media data or non-media type and then further process the data.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to NAFIZ E. HOQUE whose telephone number is (571)270-1811. The examiner can normally be reached on M-F Alternate Fridays Off 7:30 - 5:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on 571-272-7488. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Nafiz E Hoque/  
Examiner, Art Unit 2614

/Ahmad F. MATAR/  
Supervisory Patent Examiner, Art Unit 2614



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